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C O N F I D E N T I A L SECTION 01 OF 04 KATHMANDU 002470

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TAGS: [PREL](#) [PGOV](#) [PHUM](#) [PREF](#) [ETRD](#) [BH](#) [CH](#) [NP](#)

SUBJECT: A/S ROCCA AND NEPAL'S ACTING FOREIGN MINISTER
DISCUSS ROAD MAP FOR THE FUTURE AND HUMAN RIGHTS

REF: (A) KATHMANDU 1805 (B) KATHMANDU 2432

Classified By: Ambassador Michael E. Malinowski for reasons 1.5 (b,d).

Summary

11. (C) On December 16, Christina Rocca, Assistant Secretary of State for South Asia met with Ambassador-at-large and de facto Foreign Minister Bekh Bahadur Thapa and Foreign Secretary Madhu Raman Acharya to discuss the Government of

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Nepal's plans for political reconciliation and elections, human rights, and Bhutanese and Tibetan refugees. The meeting also touched upon SAARC and prospects for a U.S. garment bill. Nepal's possible contribution towards peacekeeping in Iraq will be covered septel. Ambassador Malinowski accompanied the Assistant Secretary to the meeting. End Summary.

GON Road Map on Political Reconciliation and Counter
Insurgency

12. (C) Nepal's Ambassador-at-large and de facto Foreign Minister Bekh Bahadur Thapa opened his meeting with Assistant Secretary of State for South Asia, Christina Rocca, with a

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briefing on the Government of Nepal's road map for the future. The government's objectives and challenges, he said, are three fold: political reconciliation, improved governance and countering the insurgency. To attain these objectives, the government will seek to bring the political parties into the government, hold elections, pursue social and economic development programs and support Nepal's security forces to defeat the Maoists.

13. (C) Bekh Thapa noted Prime Minister Surya Bahadur Thapa's patience in dealing with the political parties' persistent refusal to join the government. The Prime Minister continues to "leave his door open" for the parties to form an all-party government under his leadership. (Comment. The political parties, on the other hand, argue that they will join a government only under a prime minister of their choice or under a restored Parliament. End Comment.) Thapa stressed the need for the parties to join the government in order to isolate the Maoists. He suggested that the parties would join the current government if they sincerely were committed to democracy.

14. (C) Despite the political parties' unwillingness to participate, the government plans to bring the country back onto a "constitutional track," he said. To do this, the government plans on holding local elections in three phases beginning with municipalities and then moving on to village- and district-level elections and finally to national elections. The GON's road map postulated that within 14 months all phases of elections would be complete and there would be a sitting parliament. He noted that the international community would be welcome to assist and monitor the process to ensure elections are transparent and fair. While security at the ballot box will certainly be important, "the government can guarantee only a minimum level of risk," he said. Once elections are conducted, the government can move full swing into development and social programs.

15. (C) According to Thapa, the government has shared its plans with the political parties. He indicated that the political parties have questioned the government's capacity to hold elections in the current environment of insecurity and political disunity. Thapa noted, however, that elections have occurred in other places on the sub-continent under similar conditions. He asked for the international community to understand that the current government is trying to protect democracy and safeguard the constitution. A/S Rocca replied that the U.S. continues to support democracy, the inclusion of the political parties in the current government and elections.

16. (C) Compared with the outlook one year ago, Thapa averred that the current forecast regarding the insurgency is much more optimistic. The perception now, versus then, is that the Maoists are not in a position to "take over" the government. Thapa claimed that the Maoists' strongholds have been scattered and they are "on the run." The next dialogue with the Maoists will have to be driven by a sincere desire for peace, he said. However, Thapa criticized former Prime Minister Chand's government for releasing from prison nearly 1,800 "hard-core combatants." These combatants are now the primary threat to GON security forces. They are using their knowledge about individuals within the security forces to inflict damage, Thapa said. (Note. Thapa could be referring to the assassination attempts, one of which succeeded, on two army Colonels on August 27. One was the chief interrogator for Maoist prisoners. End Note.)

17. (C) Thapa indirectly complained of India's unwillingness or inability to crack down on Maoist leaders, who allegedly are residing in India. "It is difficult enough to fight them within our borders, much less outside them," Thapa said. He requested U.S. assistance in urging the Indians to act on this issue. Thapa regards the U.S. as one of the main pillars of support to Nepal on both the security and political fronts. He mentioned the GON's need for increased mobility within the army and improved border security.

Human Rights

18. (C) Thapa admitted that human rights abuses occur, but affirmed the GON's commitment to investigating these cases and upholding human rights. The GON is aware of its responsibility to the people and has no intention of being "high-handed," he said. Thapa suggested, however, that the security forces are "new at handling insurgencies, particularly one this ruthless." Thapa thanked the U.S. for providing training, which he believed has helped educate GON security forces on human rights. The National Human Rights Commission (NHRC) has also assisted in bringing human rights issues to the surface. The government has made the RNA aware of the problem and asked them to be "more careful," he said. Thapa intimated that the government is seeking to become more transparent and accountable.

19. (C) Thapa suggested that the army and the insurgents should not be compared with one another. By comparing the army with the Maoists, who are regarded as terrorists, only confusion and misunderstanding arise, he said. Thapa added that the security forces should be seen as protectors, not violators. Thapa believed that some incidents have become magnified beyond all proportion and suggested that some NGOs appear willing to accept Maoist brutality while exaggerating government abuses. These NGOs, he said, pre-judge incidents without waiting for a complete investigation.

110. (C) A/S Rocca assured Thapa that the U.S. does not equate the RNA with the Maoists, but that, as the RNA represents the government, it "must be cleaner than clean" and held to a higher standard, she said. A/S Rocca argued that human rights abuses will undermine GON objectives. On the other hand, if people perceive that the government fairly investigates human rights abuses and upholds human rights principles, the GON will further its political and social objectives. A/S Rocca stressed the importance to U.S. military assistance programs of upholding human rights. A/S Rocca cited specifically the need to hold those accountable in the Ramechhap incident (reported ref A). Thapa replied that it was wrong that the National Human Rights Commission issued a statement before its investigation was complete. Thapa noted that the government wants to avoid demoralizing the security forces while at the same time remain accountable. "Please bear with us during this difficult period," he concluded.

Bhutanese Refugees

111. (C) Prior to meeting Ambassador Bekh Thapa, Foreign Secretary Acharya briefed A/S Rocca on the Bhutanese refugee

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issue. Acharya noted that the Royal Government of Bhutan (RGOB) has agreed to accept nearly 10,000 of the residents in Khudunabari Camp for repatriation in February 2004. The RGOB has already printed residency cards and papers for the returnees, he said. Acharya admitted, however, that conditions for return are "far from ideal" and that the first group of returnees will be a "test case."

112. (C) Rocca asked about GON preparations for local resettlement. Acharya replied that the government will have to "do something" for Category III (non-Bhutanese) people who are the only group not permitted to repatriate to Bhutan.

However, he noted that there are no provisions to keep third-country citizens in Nepal since, effectively, they are not refugees. Acharya explained that the GON continues to claim that Category III refugees came from Bhutan, but merely lacked the documentation to prove their residency status. After the camps are consolidated and repatriation is complete, the government will then look at the possibility of resettlement, he said. Acharya also noted problems with security in the camps now that there is no police presence.

13. (C) Ambassador Thapa later added that the RGOB continues "to be stubborn" about third-party monitoring, but that "this is as far as Nepal can go bilaterally." He believed that pressure from the international community over the past several months caused the RGOB to take a "closer look" at the refugee issue. Bhutan's King, Prime Minister and Foreign Minister, Thapa said, have all become more open-minded. Thapa reiterated his earlier statement that a joint Bhutan-Nepal team will look after the refugees' welfare. He indicated that the recent visit of foreign diplomats to Thimpu had resulted in more positive indications from the RGOB (reported Ref B). But Thapa believes that this dialogue needs to continue. Thapa did not believe that Bhutan's current crack-down on rebel movements in southern Bhutan will impact the refugees.

Tibetan Refugees

14. (C) Pointing to progress on the handling of Tibetan refugees in Nepal, Secretary Acharya noted that there are no Tibetans currently in prison in Nepal. Ambassador Thapa suggested that the Tibetan issue was very sensitive and the "less noise we make publicly, the easier" it will be to process Tibetan refugees transiting Nepal for India. During the last official visit from Beijing, he said, Chinese rhetoric on the Tibetan issue was "extremely strong." Thapa added that the GON cannot ignore its northern neighbor, who claims that the Tibetans are illegal immigrants, not refugees.

South Asian Association for Regional Cooperation (SAARC)

15. (C) Ambassador Thapa looked forward to the upcoming SAARC Summit in Islamabad, noting that things have been going smoothly since a meeting between the Indian and Pakistani foreign ministers in New York during the U.N. General Assembly. Rocca noted that she has high hopes for the future of SAARC and attributed the shift to several factors, including the Indian Prime Minister's willingness since April to take the high road, the latest round of Indian elections, Musharraf's call for a cease-fire, and the realization by both sides that peace, not war, pays dividends. However, impediments to progress remain, and a major terrorist attack could undermine the progress, she said. Ambassador Malinowski noted that India's approval to allow overflight rights to flights between Nepal and Pakistan was a result of the recent progress so far achieved between India and Pakistan.

U.S. Garment Bill

16. (C) Secretary Acharya raised the need for the U.S. Administration's support for a proposed garment bill. Noting that textile concessions are always a contentious issue in the United States, A/S Rocca admitted it could be difficult. She told them that the Administration has not yet taken a position on the bill.

Comment

17. (C) The GON's road map points the country in the right direction, but lacks implementation details. The commitment to holding elections over the next 12 months is commendable, but it remains unclear how the government expects to foster a proper environment for elections, free of Maoist intimidation and with the full support and participation of the estranged political parties. Likewise, the Prime Minister's attempts to include the political parties in the government are laudable, but seem to lack the impetus that only the King could provide. On the social agenda, the government has made positive steps, such as proposed changes for the inclusion of women and dalits in public service. By addressing some of the issues important to the Maoist platform, the government may further undermine whatever support remains for the insurgents' cause. On human rights, Ambassador Thapa said that the government will be transparent and will hold security forces accountable for abuses. We certainly expect so. So far, none of the RNA's investigations into alleged

abuses (about 17 to date) have been released to the Nepali public. Resource constraints and the recent, rapid expansion of the army notwithstanding, the GON and Royal Nepal Army must demonstrate a truly even-handed approach to punish transgressions or they risk squandering the progress Thapa claims the RNA has achieved in countering the insurgency.

¶18. (C) On the Bhutanese refugees, Acharya's assertion that the RGOB has prepared residency permits for Khudunabari Camp refugees is the first indication we have received that logistic preparations to receive returnees are underway. However, it was discouraging to hear that the GON will begin discussions on local integration only after repatriation of all six camps occurs. Post will continue to press the GON on the need to plan for at least a smaller portion of the refugees to stay in Nepal. End Comment.

¶19. (C) A/S Rocca has cleared this cable.
MALINOWSKI